BRUCE I. AFRAN
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STEVEN E. SCHWARZ

Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	**MDL Docket No. 06-1791 (VRW)**
This Document Relates To:	**PLAINTIFFS' ADMINISTRATIVE MOTION TO APPEAR BY TELEPHONE**
***McMurray v. Verizon Comm., Inc.*, No. 09-cv-0131-VRW**	[CIVIL L.R. 7-11]
	Chief Judge Vaughn R. Walker

Now come the undersigned attorneys for the Plaintiffs in the above-captioned action who respectfully move this Court for an order permitting Bruce I. Afran, Esq. to appear by telephone on their behalf at the oral argument scheduled for 10:30 a.m. on June 3, 2009 on the Motions to Dismiss of the Government Defendants (Dkt. No. 11 in 09-cv-0131) and the Carrier Defendants (Dkt. No. 16 in 09-cv-0131). In support thereof, the undersigned state as follows.

The undersigned attorneys filed this action ("*McMurray* II") in the United States District Court for the Southern District of New York. The undersigned filed with the Judicial Panel on Multidistrict Litigation a Motion and Brief in Support to Vacate Conditional Transfer Order CTO-7 conditionally transferring this action to this Court. The action was subsequently transferred to this Court over Plaintiffs' objections.

The undersigned attorneys live and practice in New York, New Jersey, and Chicago.

The undersigned attorneys are representing the plaintiffs in this action on a *pro bono* basis and do not have the resources to travel to San Francisco. This action seeks no monetary damages. This is not a class action and the provisions of Fed. R. Civ. P. 23 do not apply.

CERTIFICATION

The undersigned attorneys certify that on May 26, 2009 they sent an e-mail message to counsel for the Government and Carrier Defendants inquiring as to whether they would object to the proposed relief.

The undersigned attorneys further certify that on May 27, 2009, counsel for the Government indicated no objection to the proposed relief and that counsel for the carriers indicated that they would not object provided that they, too, could appear by telephone. Plaintiffs have no objection to this request.

Dated: May 27, 2009
Chicago, Illinois

Respectfully submitted,

By: __/s/ Steven E. Schwarz________
Steven E. Schwarz

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Attorneys for the Plaintiffs

[PROPOSED] ORDER

The administrative motion by plaintiffs for Bruce I. Afran to appear on their behalf by telephone at the June 3, 2009 hearing is hereby GRANTED. Brian Boynton is also granted leave to appear on behalf of defendant Verizon Communications Inc. by telephone and Eric A. Shumsky is granted leave to appear by telephone on behalf of the AT&T and BellSouth defendants. The clerk will contact these three attorneys by telephone immediately before the hearing.

IT IS SO ORDERED,

Dated: ___________________ , 2009

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Hon. Vaughn R. Walker
United States District Chief Judge

CERTIFICATE OF SERVICE

I, Steven E. Schwarz, an attorney, hereby certify that, on this 27th day of May, 2009, I electronically filed and served the foregoing Administrative Motion to Appear by Telephone in the above-captioned case using the CM/ECF system which will send via electronic mail copies to all attorneys who are registered users of that system.

By: /s/ Steven E. Schwarz
Steven E. Schwarz